

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9767 of 2018

- Dilip Namdev S/o Raju Namdev Aged About 28 Years R/o Khajurpara, Ravi Tripathi Gali, Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Aman Upadhyay, Advocate.
For Non-applicant	: Mr. S. Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 00/2018 registered at Police Station – Ambikapur, District- Surguja (C.G.) for the offence punishable under Section 21-B of NDPS Act.
3. Case of the prosecution, in brief is that on 18.09.2018 about 20:00 hrs Brahmanpara, Ambikapur, sub-inspector Amit Gupta seized 6.54 gm brown sugar (heroin) from the possession of the applicant.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. The allegedly seized quantity of brown sugar is more than small quantity and smaller than commercial quantity.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE